

Application No. 09/444,356
Attorney Docket No.: 2138-991562

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/444,356 Confirmation No.: 8537
Applicant : DAVID P. CATANOSO
Filed : November 18, 1999
Title : VIDEO RECORDING AND PRODUCTION SYSTEM
Group Art Unit : 2613
Examiner : Allen C. Wong
Customer No. : 28289

**DECLARATION UNDER 37 C.F.R. § 1.131
SHOWING CONCEPTION AND DILIGENCE
PRIOR TO MARCH 12, 1998 UNTIL NOVEMBER 18, 1998**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, David P. Catanoso, hereby declare as follows:

1. I am the named inventor of the invention described and claimed in the above-identified application.

2. The present invention, specifically the "Video Recording and Production System", was conceived by me during the summer of 1997. The earliest documents memorializing the present invention were drawn by me in early August 1997. A copy of the documents is attached as Exhibit 1. During the course of the fall of 1997, I researched commercially available components that could be used to build an initial prototype of the system to support final design and software development. In early 1998, I began purchasing the necessary components and writing the necessary software for the system. By June of 1998, I completed the production version of the software and built a production version of the system for installation on a ride called "The Rocket", located at the Dinosaur Beach amusement park in

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Wildwood, NJ. The system went into operation on the ride producing videos for sale in July of 1998.

3. Exhibit 1 shows a video source, an audio source, a video capture device, a capture workstation, a monitor, a hub, a playback workstation, a second monitor, a device for producing video materials, a switching device, a storage device, and a database, all components of pending claims which stand rejected by the Examiner over the Goldberg reference. I added the PLC feature to the design of the present invention in the Fall of 1997. The diagram on the second page of Exhibit 1 clearly shows that the invention was designed for a wireless video capture application.

4. In the fall of 1998, I contacted patent counsel, namely Webb Ziesenheim Logsdon Orkin & Hanson P.C. (The Webb Law Firm), to procure patent protection for the present invention. Subsequently, United States Provisional Application No. 60/108,906, directed to the subject matter of the present invention, was filed on November 18, 1998 in the United States Patent and Trademark Office.

5. From prior to March 12, 1998 (and as early as August 1997) until the United States effective filing date of November 18, 1998, I proceeded diligently by working on the development of the present invention, additionally reducing the invention to practice, and thereafter filing a provisional patent application.

6. To the best of my knowledge and belief, the present invention was not sold or in public use in the United States for one year prior to the date of the above provisional patent application, nor was it patented or described in a printed publication anywhere prior to that time. Finally, the invention was never abandoned.

7. This activity, from as early as August 1997 (which is prior to March 12, 1998) until June 1998 and November 18, 1998, demonstrates the required evidence of conception and diligence to a subsequent reduction to practice, and filing of an application, respectively. The evidence provided herein further demonstrates that the present invention was

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conceived, designed, prototyped, built, and put into commercial application within a one year period (i.e., August 1997 to July 1998).

8. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


David P. Catanoso
Date

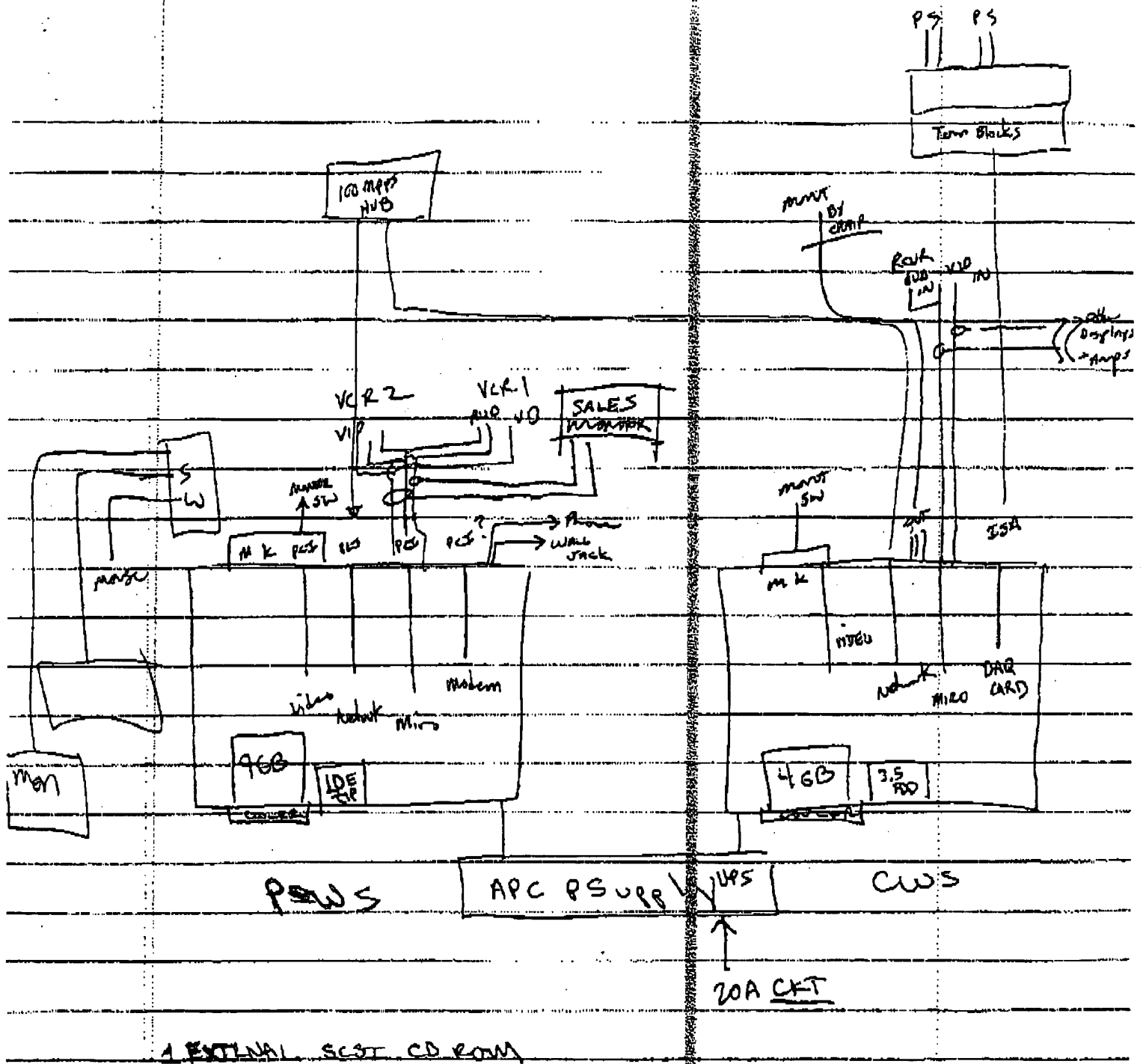


EXHIBIT
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21-141 50 SHEETS
21-142 100 SHEETS
21-143 200 SHEETS

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State	CHAIR 1=locked 0=unlocked	WINCH 1=UP 0=DOWN
A Start Landing	1	1
B chair down maneuver winch	1	0
C chair in flight	0	1
D chair on the way down	0	0

Note: Inflight
only occurs
when there is
a launch

This could
also occur
when testing

